

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Shigeo OHNO
Appln. No.: 10/720,460 Group Art Unit: 1656
Filed: November 24, 2003
For: NOVEL SMG-1

DECLARATION UNDER 37 C.F.R. 1.132

Honorable Commissioner of Patents and Trademarks Washington,
D.C. 20231

Sir:

I, Shigeo OHNO, citizen of Japan, residing at 4-4-8,
Yakumo, Meguro-ku, Tokyo 152-0023, Japan, do sincerely and
solemnly declare:

THAT I am by profession a biochemist having obtained a
Ph.D. degree in Science from Tokyo University in 1980;

THAT since May, 1991, I have been a Professor at the
Yokohama City University Graduate School of Medical Science;

THAT I am the sole inventor of the invention of the
above-identified U.S. Patent Application (referred to
hereinbelow as "the present invention") and therefore am
completely familiar with the present invention;

THAT I have reviewed and understand the Office Action
of October 20, 2006; and

THAT "Ohnishi et al., Function of a novel protein
kinase in mRNA surveillance, Program and Abstracts in the
23rd Annual Meeting of the Molecular Biology Society of
Japan, published on November 25, 2000, p.539, program No.
2PC-186" (cited as reference CA in the Information
Disclosure Statement filed August 9, 2004) and Ohnishi et

al., Posters presented on December 14, 2000 in the 23rd Annual Meeting of the Molecular Biology Society of Japan (cited as reference CB in the Information Disclosure Statement filed August 9, 2004) were published under the names of eight persons, that is, Tetsuo OHNISHI, Akio YAMASHITA, Isao KASHIMA, Tomoaki TANAKA, Yoichi TAYA, Nobuo NOMURA, Takahiro NAGASE, and Shigeo OHNO, and that I, Shigeo OHNO, am the sole inventor of the present invention and the others, that is, Tetsuo OHNISHI, Akio YAMASHITA, Isao KASHIMA, Tomoaki TANAKA, Yoichi TAYA, Nobuo NOMURA, and Takahiro NAGASE, were merely working under my direction.

I, the undersigned declarant, declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001, of Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Singed this 13thday of March, 2007.



Shigeo OHNO